

Community Scrutiny

20th July 2017

Annual Monitoring Report 2016/17

Carmarthenshire Local Development Plan

To consider and comment on the following issues:

To consider the Authority's second Annual Monitoring Report for the Carmarthenshire Local Development Plan and its recommendations – as required for submission to the Welsh Government.

Reasons:

- To receive and accept the content of the report and the appended Annual Monitoring Report 2016/17.
- To commence a review into the LDP in light of the recommendations and content of the AMR 2016/17 and in accordance with statutory procedures.
- To note the outcomes and baseline data as part of ongoing LDP monitoring.
- To provide an opportunity for comments to be submitted on its content.

To be referred to the Executive Board / Council for decision: YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

Directorate : Environment

Designations :

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Community Scrutiny Committee

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Carmarthenshire Local Development Plan

1. BRIEF SUMMARY OF PURPOSE OF REPORT.

This report follows the adoption of the Carmarthenshire Local Development Plan and presents its second Annual Monitoring Report (AMR). The AMR has been prepared in accordance with the provisions of the Planning and Compulsory Purchase Act 2004 and the Local Development Plan (LDP) Regulations 2005.

The Planning and Compulsory Purchase Act 2004 requires each Local Planning Authority to prepare an Annual Monitoring Report (AMR) on its LDP following adoption and to keep all matters under review that are expected to affect the development of its area. In addition, under section 76 of the Act, the Council has a duty to produce information on these matters in the form of an Annual Monitoring Report for submission to the Welsh Government, and publication on the Carmarthenshire County Council's website by 31st October each year following plan adoption.

Members will recall that at the meeting of County Council on the 14th December 2016 the 2015/16 AMR was considered and received. It was also resolved that future AMR's be presented with an opportunity for members to discuss and debate their content.

A copy of the draft AMR is appended as part of this report. It should be noted that the content of the AMR and this report will develop as further evidence becomes available ahead of reporting to Council.

2. Background

As part of the requirement to monitor the implementation and effectiveness of the its adopted Local Development Plan (LDP), Carmarthenshire County Council is required by the Welsh Government to produce and submit an Annual Monitoring Report (AMR).

This represents the second AMR following the LDP's formal adoption on the 10th December 2014 and is to be submitted by the 31st October with its preparation an integral component of the statutory development plan process.

Covering the period of 1st April 2016 to 31st March 2017 this AMR assesses the progress in implementing LDP policies and proposals. It provides the basis for monitoring the effectiveness of the LDP and determines whether any revisions to the Plan are necessary. This and any subsequent AMR's will aim to demonstrate the extent to which the LDP strategy and objectives are being achieved and whether the Plan's policies are operating and functioning effectively. It also assesses the impact the LDP is having on the social, economic and environmental well-being of the County and identifies any significant contextual changes that may influence the Plan's implementation or future review. In so doing the AMR utilises Chapter 7: Implementation and Monitoring as the mechanism in measuring the implementation of the Plan.

3. Content and Structure

The AMR is the main mechanism for measuring the success in implementing the Plan's policies and will report on issues which impact upon the Plan's objectives.

In recognition that measuring implementation is a continuous part of the plan making process, the monitoring of the Plan provides the connection between: evidence gathering; plan strategy and policy formulation; policy implementation; evaluation, and plan review. It also, through the AMR, assists in improving the transparency of the planning process, and keeps stakeholders, the community and business groups informed of development plan issues.

The AMR also includes an analysis of the Strategic Environmental Assessment/ Sustainability Appraisal.

4. LDP Monitoring Framework

The LDP Monitoring Framework identifies a series of targets and indicators with defined triggers for further action. The has been developed in accordance with Welsh Government Regulations and guidance and was subject to consideration at the Examination into the Carmarthenshire LDP and within the Inspector's Report

The AMR utilises a traffic light system in monitoring its policies which allow for a visual interpretation on the success, or otherwise, however this is qualified through an understanding of the accompanying explanatory narrative to assess the respective success or failure against each indicator with the following options available in responding to any emerging issues:

- **Continue Monitoring:** Where indicators are suggesting that LDP policies are being implemented effectively and there is no cause for a review.
- **Officer / Member Training required:** Where indicators associated with planning applications suggest that policies are not being implemented as they were intended and further officer or Member training is required.
- **SPG / Development Briefs required:** Whilst the Council will be preparing SPG and Development Briefs throughout the Plan period, indicators may suggest that further guidance should be provided to developers on how a policy should be properly interpreted. Additionally, should sites not be coming forward as envisaged, the Council will actively engage with developers / landowners to bring forward Development Briefs on key sites to help commence the development process.

- **Policy Research / Investigation:** Where monitoring indicators suggest the LDP policies are not being as effective as intended, further research and investigation, including the use of contextual indicators (as outlined above) and comparisons with other local authorities and national statistics where appropriate will be undertaken to inform any decision to formally review the policy.
- **Review:** Where monitoring indicators suggest that amendments to the LDP would be beneficial, the Council may consider modifying the Plan as appropriate.

5. LDP Review and Review Process

The Council is required to undertake a statutory full review of its LDP at intervals not longer than every 4 years from initial adoption of the Plan, unless AMR outcomes indicate otherwise. Any such review should draw upon: the content of the published AMRs; updated evidence and surveys; and, pertinent contextual indicators, including relevant changes to national policy.

Key triggers for review and the consequential need for a Review Report due to new evidence which would support a different approach, are:

- Significant contextual change (e.g. in national policy or legislation; in local context e.g. closure of a significant employment site that undermines the local economy);
- A significant change in development pressures or needs and investment strategies of major public and private investors;
- Significant concerns from the findings of the AMR in terms of policy effectiveness, progress rates, and any problems with implementation, including a trend in terms of failure in housing land supply.

All of the above will be taken into consideration in determining whether a full or partial review of the Plan is necessary, and this would be set out within a Review Report.

6. Summary of Key Outcomes

An overview of the key findings from the 2016/17 AMR is set out below:

- The 2017 Joint Housing Land Study (JHLAS) indicates that 426 new homes were completed during the monitoring period 1st April 2016 to 31st March 2017 (provisional as set out in the proposed Statement of Common Ground);
- The 2017 JHLAS indicates that the Council has a housing land supply of 4.1 years (provisional as set out in the proposed Statement of Common Ground). This represents a consolidation on the previous study which also indicated a land supply of 4.1 years. It would however constitute the fourth JHLAS where the housing land supply has been below the 5 year supply of land for housing requirement identified within Technical Advice Note 1;

- 374 dwellings were granted planning permission on large sites (5+ units), with 38.3% of which were on allocated sites. The distribution of these planning permissions are largely focused on Growth Areas and Sustainable communities with (43.8% and 46% respectively).
- In relation to affordable housing 101 dwellings have been permitted during this AMR period;
- Employment sites allocated within the Plan with Planning permission has increased to 27.35ha during this AMR period.
- Vacancy rates within the Primary Retail Frontages of the following Town Centres are as follows:

Carmarthen	-	8.5%
Llanelli	-	20%
Ammanford	-	4.8%
- As a result of the requirement of the Housing (Wales) Act 2014, a Gypsy and Traveller Accommodation Assessment has been undertaken to identify if there is a need for Gypsy and Traveller sites. The Local Authority received confirmation from the Welsh Minister that the content of the needs assessment was accepted on 28th March 2017. The GTAA will now need to be considered and signed off by the Authority. The outcome of which will have bearing on future policy requirements and the need to review site provision.
- Welsh Language – No applications have been approved within linguistic sensitive areas without mitigation measures to be put in place.
- Caeau Mynydd Mawr SAC - 32.27ha of land in good condition was being managed on 14 sites. A further 42.86ha of land was also rated in good condition giving a total of 75.13ha (source: PIMS Action progress reports 2015-2016).
- No planning permissions for 'highly vulnerable' developments were permitted within the C1 or C2 flood zones as identified on the (TAN15) Development Advice Maps where it was contrary to Natural Resources Wales advice.
- Planning permission has been granted for schemes that have the potential to contribute a total of 17.306 MW of renewable energy within the County; and
- Minerals data indicates that the current hard rock landbank for Carmarthenshire is at least 68 years with a combined sand and gravel landbank of 17-18 years.

7. AMR Conclusions and Recommendations

Whilst it is considered that some positive progress has been made in implementing many of the Plan's policies and objectives, and that the broad strategy remains sound, there are elements and components which are not delivering as intended.

The AMR recognises that challenges remain in relation to the delivery of housing growth and housing land supply, with the effects from the downturn in the economy still being felt. The absence of a 5 year housing land supply is however a matter of ongoing concern and a central component that needs to be addressed if the housing requirements are to be delivered.

In relation to matters surrounding the land supply the success or otherwise of the strategy - the delivery of growth within the Service Centres and Local Service Centres requires consideration with a low delivery rate in such settlements as compared with the Growth Areas and Sustainable Communities.

The publication of the 2014 sub-national Household and Population projections and their variance from the growth requirements set out within the LDP also requires consideration. This is also pertinent in informing and understanding matters around the 5 year land supply and deliverability across the County. The consideration of such matters will need to have reference to the relationship of housing and jobs and the economic opportunities presented through the City Deal and the Council's Transformations (regeneration) agenda.

It is also recognised that the Plan period expires in 2021, and the need to ensure that statutory Development Plan be in place from this period onwards will be an informant in the considering the timing and scope of the review.

AMR Recommendations

As a result of the findings of this AMR it is recommended that an early review of the Carmarthenshire LDP be commenced. It will be needed to:

- Consider and to address the shortfall in available housing land supply and consider the interventions necessary;
- Prepare further evidence on the implications and veracity of the 2014 sub-national Household and Population projections, and consider them in light of the review; and,
- Consider the distribution and delivery of housing and the success or otherwise of the strategy, or its components in meeting the identified Housing requirements.

That this second AMR be submitted the Welsh Government by 31 October 2017 in accordance with statutory requirements, and published on the Council's website.

8. Next Steps and Review Process

The AMR will in accordance with the Council's statutory duty be submitted to the Welsh Government, and published on the Council's website by 31st October. This publication will be accompanied by an informal consultation which will afford interested parties the opportunity to comment on the key issues raised. Whilst not a statutory requirement, such a consultation provides an important opportunity for views to be submitted, and where appropriate for those views to contribute to the content of subsequent AMR's.

In light of the recommendations above the Council will be required to undertake a review of the Plan and its content to ascertain the scope and breadth of the changes required. This review will culminate in a review report which will detail the nature of the changes required and whether a short form or full review is necessary.

The preparation of this review report will be informed by the outcome of the first and second AMR, pertinent evidence and will incorporate stakeholder input.

Please see the appended paper which provides further information on the review process. A further report will be presented on the content and outcomes of the review report along with a Delivery Agreement setting out the timetable for the Plan review and the methods of timing of communication and consultations over the Plan's preparatory period.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L Quelch

Head of Planning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	YES	NONE	YES	YES

1. Policy, Crime & Disorder and Equalities

The AMR in monitoring the implementation of the LDP's policies and provisions builds on the links and strategic compatibility between it and the **Integrated Community Strategy for Carmarthenshire 2012-17**. In this respect the as components of the LDP, are key factors in the delivery of the outcomes, particularly **Supporting Opportunities for the Building of Economically Viable and Sustainable Communities**. Through land use planning policies, the LDP seeks to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable providing access to local services and facilities and reducing the need to travel.

The integration of sustainability as part of the preparation of the LDP is reflected in the undertaking of a Sustainability Appraisal and Strategic Environmental Assessment reflecting national and international legislative requirements. The AMR is considering matters of sustainability further monitors the outcomes of the Plan in light of the Sustainability Appraisal indicators.

The AMR considers key national legislative changes including the requirements emanating from the Wellbeing of Future Generations Act and the implications for the LDP. In this respect the AMR undertakes a compatibility analysis of the LDP and the National and local Well-being Objectives. It is also noted that the LDP review will need to ensure the requirements emanating from the Act are fully and appropriately considered with the Plan reflective of its duties.

2. Legal

The preparation and publication of the AMR ensures the Council meets its requirements in respect of the Planning and Compulsory Purchase Act 2004 which requires each Local Planning Authority to prepare an Annual Monitoring Report (AMR) on its LDP. It also fulfils the requirements of the section 76 of the Act in keeping all matters under review that are expected to affect the development of its area. The Council has a duty to produce information on these matters in the form of an Annual Monitoring Report for submission to the Welsh Government, and publication on the Carmarthenshire County Council's website by 31st October each year following plan adoption.

Section 69 of the 2004 Act requires an LPA to undertake a review of an LDP and report to the Welsh Government at such times as prescribed (Regulation 41).

1. Finance

Financial costs to date are covered through the financial provisions in place - including reserves. Should Planning Division Budget not be in a position to provide further funding necessary to meet the statutory requirements to review and prepare a development plan then an application will be made for growth bid.

Subject to the scope and nature of an early review of the Plan then additional financial provision will be required to meet the ongoing costs associated with legislative requirements arising from its production, including ICT requirements (see below) evidence gathering and examination costs.

4. ICT

Requirements in relation to ICT will seek to utilise existing resources. There will however be additional and revised data management requirements to ensure the plan preparatory process is conducted in speedy, efficient and transparent manner in accordance with regulatory requirements. This may require a new front facing consultation tool and its integration with back office systems.

6. Physical Assets

The review of the LDP will impact on Council land and property holdings through their inclusion or otherwise for potential development purposes. This will have implications on potential disposal and land valuations and consequently capital receipts.

7. Staffing Implications

It is anticipated that the review of the LDP be accommodated utilising the existing staff structure. This will be reviewed subject to the nature and scope of the review. Provision will be required for a programme officer for the examination into the LDP (anticipated 2020/21).

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L Quelch

Head of Planning

1. Local Member(s)

The content of the AMR will be reported to Council for consideration. Members will be engaged throughout the review process. The content of the AMR will be subject to an informal consultation process.

2. Community / Town Council

Town/Community Councils(s) will be a specific consultee at statutory stages throughout the LDP review. The content of the AMR will be subject to an informal consultation process.

3. Relevant Partners

A range of partners will be specific and general consultees throughout the review process. The content of the AMR will be subject to an informal consultation process.

4. Staff Side Representatives and other Organisations

Internal contributions will be sought throughout the review process.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire Local Development Plan		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/
Supplementary Planning Guidance		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/supplementary-planning-guidance/#.V06h-JwrKUK
Annual Monitoring Report 2015/16		http://www.carmarthenshire.gov.wales/media/1643860/Annual-monitoring-report-201516-AMR-Document-for-web.pdf